

# CRASH KILLING 134 GOES TO TRIAL

Liability Is Disagreed On  
In 2-Plane Collision

By RICHARD WITKIN

A damage suit growing out of the airliner collision here three years ago went to trial yesterday, a few days after the Government had agreed to share damage payments with the two airlines involved.

The trial presumably was necessitated by a breakdown in negotiations over the amount of damages to be paid in an out-of-court settlement.

The United States is a co-defendant with United Air Lines and Trans World Airlines, because the system for controlling air traffic is operated by the Federal Aviation Agency, a Government organization.

The two planes were supposed to be following instructions of F.A.A. controllers at the time of the collision.

The plaintiffs in the trial that opened yesterday are the widow and three sons of Charles M. Clotier, a 28-year-old electrical engineer employed by the Sperry Gyroscope Company. He had been working on new radar devices designed to help prevent just the sort of accident in which he died.

## First of 113 Cases

The case was the first of 113 brought in Federal District Court, Brooklyn, as a result of the accident, the worst in the line history. Judge Matthew T. Abruzzo is presiding.

Last week, there was a major break that raised hopes for avoiding lengthy trials on the issue of liability.

This was the Government's agreement, in a reluctant about-face, to pay 24 per cent of whatever damages might be fixed, or out of court. United was to pay 61 per cent, T.W.A. 15 per cent.

But subsequent negotiations on liability apparently got nowhere. So Judge Abruzzo ordered the case to trial. By agreement of all parties, the trial jury. The judge is to decide only the question of liability.

The disaster occurred on the morning of Dec. 16, 1960. A United D-2 jet flew 13 miles past the area where it had been instructed to circle, and collided with a T.W.A. piston-engine Super Constellation over Miller Field, Staten Island.

The piston plane fell at the edge of Miller Field. The jet slew another 10 miles, coming down in the Park Slope section of Brooklyn.

## 134 Killed in Crash

The crash took included all 134 aboard the two planes and all persons on the ground in Brooklyn.

The first day of the trial was devoted almost entirely to an opening statement by the plaintiffs' attorney, Lee S. Kreindler. He is said to have played a major part in working out the formula for splitting the liability three ways.

Mr. Kreindler said the chief cause of the crash was the negligence of the United jet in circling area.

He said a "strong contributing factor" was the way in which Government controllers among the alleged control errors were those of failure of the controller who had been following instructions to the jet to see its radar and the other circling area; another controller's forwarding of incorrect information on the jet's arrival time over the circling area and his failure to activate properly the flashing amber light on the next controller's notifying station that the jet would call it.

## Horn Blower's Impatience Leads to Arrest as Car Thief

Walter McNaughton likes to drive. A year ago, the police say, he stole a car in the Bronx and drove 35,000 miles around the country.

Yesterday, McNaughton became impatient with slow-moving traffic at 144th Street and his horn and promptly drew the attention of Patrolman William Schwartz.

When Patrolman Schwartz started over to talk to him, McNaughton sped away, slung his bowing over the policeman's car.

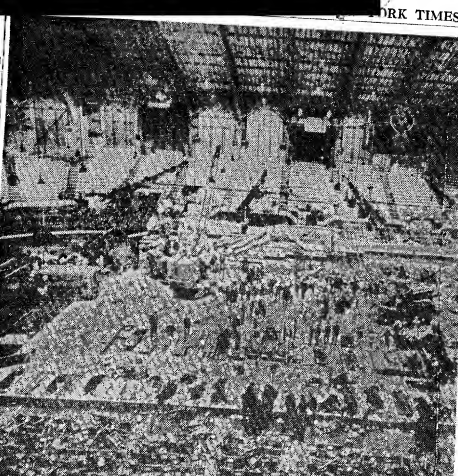
A few minutes later, McNaughton abandoned the car in Central Park and took to his feet. He was found in a doorway at 72d Street and Avenue, was arrested and was charged with larceny.

## Byline Ball Tonight

The 15th annual Byline Ball of the Newspaper Reporters Association of New York City will be held tonight in the grand ballroom of the Hotel Astor. More than 850 persons are expected to attend. The entertainers will include the entertainer, Robert Merrill, Gloria De-Kelly, Blaine Malin and the Chaves de Espana. Ed Sullivan will be the master of ceremonies. The dinner benefits the Damon Runyon Memorial Cancer Research Fund and the New York Cardiac Center.

## Kennedy Will Attend Game

WASHINGTON, Nov. 1 (UPI)—The White House said today that President Kennedy planned to attend the Army-Air Force football game in Chicago tomorrow, returning for a week-end in his new country home at Atoke, Va.



AFTER THE EXPLOSION: Rescue workers and heavy cranes sifting through debris Coliseum following Thursday night's blast, which killed 63 and injured more than 300.

# EASTLAND IS SUED BY RIGHTS GROUP

Senator and Sourwine Are Accused of Role in Arrest

Special to The New York Times

WASHINGTON, Nov. 1 — A civil rights organization and one of its officers have filed suit for damages totaling \$500,000, naming Senator James O. Eastland and J. G. Sourwine among other defendants.

Mr. Eastland, Democrat of Mississippi, is chairman of the Internal Security subcommittee of the Senate Judiciary Committee. The suit, filed in United States District Court here by the Southern Conference Educational Fund, Inc., a New Orleans-based rights group, and James A. Dombrowski, the group's executive director, makes these basic charges:

That documents and other property belonging to the organization were illegally seized early in October.

That some of the documents, including the organization's membership lists, have fallen into the hands of Mr. Eastland and his subcommittee members, and should, by law, be returned to their owners.

That the documents, unless they are returned, may be used against members and friends of the rights group to intimidate them and deter them from their efforts to achieve racial equality, as guaranteed by the First and Fourteenth Amendments.

## Injunction Sought

Lawyers for the group filed, along with the complaint, a motion for a preliminary injunction restraining Mr. Eastland and the other defendants from using the documents "in any manner whatsoever" and ordering them to return the material to the owners.

Other defendants named in the suit, filed yesterday, were the Altate Insurance Company, the City of New Orleans, a member of the Louisiana Legislature, and two Louisiana state police officers.

Altate Insurance is being sued on the ground that it indemnified New Orleans against illegal acts on the part of its agents, including policemen.

Arthur Kinoy, one of the group's attorneys and a partner of Kinast & Kinoy, said that United States marshals would serve Mr. Eastland and Mr. Sourwine with subpoenas and that hearings on the motion for a temporary restraining order should begin in Federal District Court within 10 days.

The complaint charges that on Oct. 4, several New Orleans policemen raided the offices of the Southern Conference Educational Fund and seized books, receipts, and records, including names of members, contributors, and friends of the organization.

In addition, the officers allegedly searched Mr. Dombrowski's home, made similar searches of other homes, and finally arrested Mr. Dombrowski himself.

According to the complaint, the documents were initially turned over to the Louisiana State Police and to James H. Prister, chairman of the Louisiana League of Un-American Activities.

On Oct. 25, upon a motion for a preliminary injunction, J. Bernard Cooke, of the Criminal District Court of the Parish of Orleans, dismissed the charges against Mr. Dombrowski on the ground that there had been "no probable cause" shown for the issuance of warrants of arrest.

Attorneys for Mr. Dombrowski and the rights group then made plans to retrieve the documents on the assumption that Mr. Dombrowski's arrest was illegal so, too, was the search and seizure of his and the organization's property.

However, according to the complaint, the documents had then vanished from Louisiana. The complaint says that Mr. Eastland and Mr. Sourwine "under the authority of the Internal Security subcommittee"



Leaking Gas Is Blamed for Blast

By AUSTIN C. WEHRWEIN  
Special to The New York Times

INDIANAPOLIS, Nov. 1 — Fire Chief Arnold Phillips said today he was "almost certain" that leaking propane gas caused the explosion that killed 63 and injured 341 last night.

The blast in the State Fairgrounds Coliseum came in the closing minutes of a performance of the Holiday on Ice show.

Today flags flew at half staff throughout the city.

The bottled cooking gas was used by popcorn and hotdog box stands in a room below the Coliseum. The gas collected in the concession area and presumably ignited.

The police impounded four undamaged tanks of the propane gas for examination by experts, including one coming from the L. P. Gas Association in Boston.

The chief said that at least three days would be needed to arrive at a definite conclusion. The propane gas is commonly used by farmers and owners of summer cottages away from city mains.

## Coliseum a Morgue

The Coliseum, gay last night, was a scene of horror today. The bodies of many badly injured people were lying under blankets on wooden stands that hospitals usually are used to hold fold.

The dirty ice was melting under foot. A hush hung over the scene as relatives and friends came to claim the dead.

In a corner there was a heap of discarded Japanese lanterns, some as big as pianos. Broken wooden chairs were strewn and paper cups.

By late afternoon all but the bodies of two women had been removed.

Lists allegedly wound up in the Coliseum, Mr. Eastland's home state, and the rest purportedly wound up in Mr. Eastland's doctor's in Washington.

## Accuse Eastland

Mr. Eastland and Mr. Sourwine are being sued not because they merely received the documents but because, the complaint alleges, they were "actually part of the original conspiracy" to obtain the documents through illegal arrest and illegal seizure.

The attorney says that certain during the hearing Oct. 25 that the Coliseum with Mr. Eastland by telephone concerning the documents. This, the attorney says, "evidence of a relationship" between Mr. Eastland and the Louisiana authorities.

"In addition," says Mr. Kinoy, "we want to show that not only seized but also that they might be used to scare the members of this particular group to prevent them from assembling, as protected by the First Amendment, for the purpose of achieving racial equality, which in turn is a right protected by the 14th Amendment."

Dombrowski is seeking \$250,000 from the defendants, "individually and jointly," "false arrest," "harassment and embarrassment," and "other grievances."

The Southern Conference Educational Fund also seeks \$250,000 damages from the defendants, jointly and individually, for "harassment and embarrassment" and the legal seizure of its office by injured, and there was some damage to the house.

Venezuelans Bomb G.I.'s Home  
Special to The New York Times  
CARACAS, Venezuela, Nov. 1 — Four incendiary bombs were hurled yesterday at the home of Capt. James H. Perry, a United States military mission in Caracas. The captain's 9-year-old daughter was slightly injured, and there was some damage to the house.

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SATURDAY, NOVEMBER 2, 1963.

C 11



Associated Press  
at Indiana State Fairgrounds  
at the Holiday on Ice Revue

## st That Killed 63

Workers, doctors and nurses thronged the scene.

Witnesses described the explosion as a roar, an earth-shaking, or as "20 million thunderclaps." One Leon Eaton of Osgood, Ind., said: "The whole area rose up like a mountain."

As the uninjured groped for exits, a second blast erupted out of the yawning hole already filled with twisted steel, chunks of concrete and bodies. A fireball rose up to the ceiling, but the lights remained on.

The Coliseum was built in 1939 as a Federal works project. It is owned by the State of Indiana.

The State Fair board closed it today until structural damage could be assessed. Doors and windows on the south side exterior also were damaged.

It is used for professional hockey and basketball, dog and horse shows, political conventions and occasional traveling shows such as the one opened last night.

However, except when it is used in connection with the state fair, is leased by the Coliseum Corporation, a private concern. It has a capacity of 8,000.

There were no reports of injuries among the cast of the Ice show.

## 2 MORE ARRAIGNED IN BLUE CROSS CASE

A lawyer and an investigator for the Public Service Commission were arraigned in Queens yesterday on charges of cheating Blue Cross out of \$92,000 by padding payrolls of the Forest Hills General Hospital.

Five others named in an indictment handed up Wednesday were arraigned Thursday.

One of the two persons arraigned yesterday was Herbert Kamp, who has been with the Public Service Commission for 30 of his 54 years. He is a stockholder and a member of the executive committee of the Forest Hills Foundation, Inc., which ran the hospital until April of this year. Mr. Kamp, who lives at 98-25 64th Road, Forest Hills, was released on \$2,500 bail.

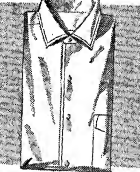
The other man, Jacob Goldsmith, 36, of 250 East 74th Street, is the hospital's former lawyer. He was paroled in the custody of his attorney, Charles F. Murphy.

Dr. Julius Lebowitz is president of the corporation, which since April has leased the hospital to eight doctors. None of them was indicted, but Dr. Lebowitz and the corporation were named.

## Medical School Accredited

NEW BRUNSWICK, N. J., Nov. 1—Rutgers University's two-year medical school has received provisional accreditation by the American Association of Medical Colleges, the university announced today. The school previously was rated a "non-member institution in development." The school can become eligible for full accreditation after two annual surveys. The school plans to accept its first students in 1965.

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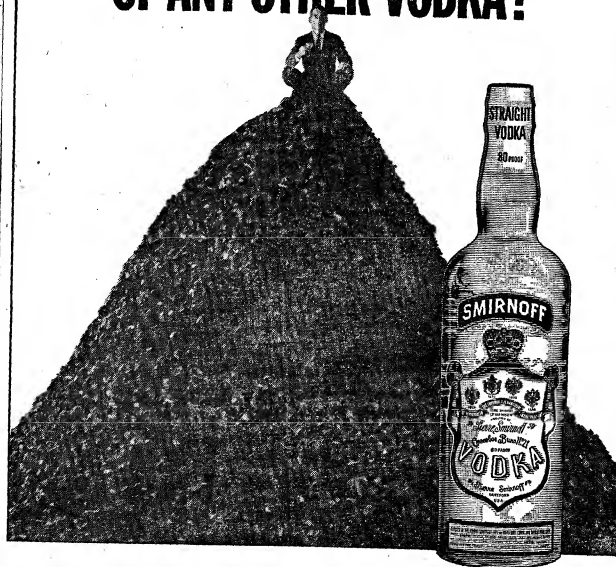
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## VASSAR GIRLS AID TOWN YOUNGSTERS

Tutor Pupils With Potential in Poughkeepsie Schools

By JOHN P. SHANLEY  
Special to The New York Times

POUGHKEEPSIE, N.Y., Oct. 30—Vassar college girls have begun their own version of the Peace Corps to help public school youngsters in crowded downtown areas here.

Four days a week after their own classes have ended, groups of the girls, most of them dressed informally in sweaters and skirts, go by bus from the tree-lined Vassar campus to four elementary schools in lower- and middle-class sections of the city.

They are among the 150 volunteers for "Horizons Unlimited," a community experiment designed to provide educational and cultural enrichment for the children.

Negro and white children with a potential for greater achievement were selected by their regular teachers for the program, which began this week.

Each Vassar girl is assigned to one child and spends an hour a week working with him in his classroom. Some of the tutors are also devoting extra time to the work on weekends.

The participating schools are Elsworth, Columbus, Franklin and Warring.

In the Warring school today, after regular school hours five tutors joined five 12-year-old pupils in a sixth-grade classroom.

Using the children's textbooks they reviewed classwork, assignments in reading, arithmetic, geography and social studies. The tutors paid particular attention to lessons that had presented difficulties for the children.

Joan Cadden, a Vassar junior, of 59 East 124 Street in New York, helped David Finch, who is interested in science but admitted that he would prefer to go swimming.

Lee Perkins, a senior from Barre, Mass., worked with Gale Sterling, a sophomore, a sophomore, of 600 Fifth Avenue, New York, with Sharon Gagliardi, a senior, of 535 East 96th Street, New York, with Regina Clinton, and Ruth Whit, a junior from Hudson, N.J.

Miss Perkins became so absorbed in her work that she missed the bus back to Vassar.

Coordinating the program is the college's Patricia Blumstein, a senior, of 60 East 96th Street, New York, and Joan Leven, a sophomore, of Providence, R.I. Miss Blumstein said today:

"It does reduce the amount of time that is available for keeping up with one's studies, but at a college like Vassar, studies are particularly important. For some of the girls, it also means less time for bridge or knitting."

"But in a world where so much needs to be done, an opportunity like 'Horizons Unlimited' also gives us a purpose and an opportunity for fulfillment."

## PRINTERS AND SHOPS HALT NEGOTIATIONS

Contract negotiations between the typographical union and commercial printers here reached a critical stage yesterday.

The union charged that the employers refused to bargain and that negotiations involving 5,000 printers and 400 book and job shops were broken off. The previous contract expired two weeks ago.

Thomas Koepke, secretary-treasurer of Local 6 of the International Typographical Union, said a meeting of members would be held next Thursday at Manhattan Center to explain the status of the negotiations.

Matthew A. Kelly, secretary of the printers league section of the Printing Industries of Metropolitan New York, said that a special committee of the league would meet Monday to determine what collective action to take if the union carried out "harsh harassment" of the printing concerns. Since the contract expired the union has been enforcing a ban on overtime.

The union has been seeking a reduction in the work week from 36½ hours to 35 hours, a \$15-a-week wage increase, a one-year contract, increased sick leave and other benefits.

## 3D TEAMSTER LOCAL GIVES HOFFA REBUFF

A third New York Teamster local has voted against giving James R. Hoffa the power to negotiate national contracts in the trucking industry.

John E. Strong, president of Local 807 of the International Brotherhood of Teamsters, reported yesterday that the local's membership had voted 2,880 to 622 against giving Mr. Hoffa the teamster president, the power he is seeking.

Earlier, members of Local 816 and Local 232 had voted overwhelmingly against granting the teamster president the power he sought to negotiate national contracts.

Mr. Strong said the vote in Local 807 had been taken by a mail referendum conducted by the Ernest Ballot Association.

Local 807, consisting of general truck drivers, has about 10,000 members.

**25 Seized in Narcotics Raids**  
BUFFALO, Nov. 1 (UPI)—Twenty-five suspected dealers in narcotics, including 16 named in sealed felony indictments returned yesterday, were arrested today. The police said five persons listed in the Erie County grand jury indictments still were sought.

VOLUNTEER TUTOR: Joan Cadden, a Vassar College junior, working with David Finch, a 12-year-old sixth-grade pupil at the Charles B. Warring school in Poughkeepsie.

## CITY COLLEGES BID FOR RISE IN FUNDS

Space Is Biggest Problem, Bowker Tells Planners

A picture of colleges already bursting at the seams and crowded with new students was drawn yesterday for the City Planning Commission at a hearing of the Board of Higher Education's capital budget.

Brooklyn College and the Bronx Community College described plans to build over the air space of railroad and subway tracks as economic solutions to the problem of finding suitable sites. And the Baruch School of City College proposed that sites now occupied by the city be considered for educational purposes.

Hunter College pointed out that arrangements were being made for proposed facilities on its Bronx campus to be shared with the neighboring community colleges.

In presenting the board's request for \$55,383,171 for 1964-65, Gustave G. Rosenberg, the chairman, said that the four senior colleges and three existing community colleges would have to "unhobble" and "deprogram" to accommodate students seeking new spaces. First enrollment figures for this fall show nearly 112,000 students in all areas of the City University, he said.

Space is the major problem facing the university, Chairman Albert H. Bowker told the commission. He said that plans to admit 5,000 additional freshmen next fall can be accomplished "only by reason of the determination of the presidents and their faculties to stretch to the breaking point the use of present facilities by expedients which cannot be adopted as permanent procedures."

Such expedients include the lengthening of the school day, larger class sections where possible, and classes on Friday evenings and Saturdays.

Dr. Bowker said that if the university's timetable were followed there would be 15,000 additional spaces in the senior colleges and 7,000 in the community colleges by late 1968 or early 1969.

He said that the board was "unhobbling" instead of "planning" in 1965 the improvement of the 1964-65 budget, temporary quarters on a large scale in the hope that the men entering that year can be absorbed into the existing college structures during the next year.

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## Allen Says Integration Problem Must Not Cut Education Quality

School districts were told by while the state had the primary responsibility for educational quality, for every child it is a high educational standard local cooperation. If co-ordination of integration operation is lacking, he said, the state would take action.

The state intervened in the Malverne, L. I., district recent Princeton Plan after the district adopted. That action was challenged by parent groups who obtained a stay of the order and the case is now before the State Supreme Court in Albany.

The commissioner, James E. Allen Jr., spoke at the 12th annual conference of the Citizens Committee for the Public Schools at the American Association of School Administrators.

He said he was pleased with the progress being made to correct segregation problems in the 24 districts of the state that had reported Negro concentrations of more than 50 percent.

After Dr. Allen had spoken, Miss June Shagoroff, special assistant for education of the National Association for the Advancement of Colored People, said her organization intended to file an appeal to the commissioner against three communities whose integration plans the association considered inadequate. These, she said, are Port Chester, Buffalo and Rosetonville.

The commissioner said that he noted, is 500 districts.

He said consolidation of districts was proceeding at too slow a pace, although since 1960 the number had been reduced from 1,327 to 1,115. The target, he noted, is 500 districts.

## STUDY FINDS POSE BY ANTI-SEMITES

Jewish Group Says Bigot Infiltrate Conservatives

By IRVING SPIEGEL  
Special to The New York Times

CHICAGO, Nov. 1—The American Jewish Committee asserted today that most professional anti-Semites were posing as "superpatriots" to infiltrate "ultraconservative organizations."

In a special study, the human relations agency charged that religious bigots were directing their appeals to "isolationists, proponents of radical measures, pro-Arab apologists."

The results of a year-long survey were announced at the opening session of the annual meeting of the committee's national executive board at the Edgewater Beach Hotel.

A significant finding in the study was that until 1960 most anti-Semitic propaganda, in the form of periodicals, had been published at a distant point and shipped into the South in bulk for local distribution.

The report said that currently there had been a sharp rise in the amount of anti-Semitic literature originating in the South.

The study, titled "Bigotry in America," is a pamphlet that will be published in the immediate future.

The study charged that Arab propaganda in the United States continues to originate from "several sources."

It listed the Arab League's Arab Information Center, with branches in several cities; the Organization of Arab Students, whose 4,000 members are active on many college campuses; and the Arab League's Arab League.

The study held that Arab propaganda "is generally circumspect" with regard to overt anti-Jewish activities. The study said, "sponsors materials which are shot through with insinuations of 'dual loyalty' on the part of American Jews, and inflammatory references to Zionists, a term frequently applied indiscriminately to all Jews."

Found Effective in South  
Fertile areas for the propaganda, according to the study, have been communities in the South disturbed by racial tensions. The study said:

"Since 1954, when the Supreme Court outlawed school segregation the promotion of religious hatred have increased their activities in the South, where a resurgence of Ku Klux Klan and more newly organized racist groups have provided channels for fomenting anti-Semitism."

The general issue of racial crisis both in the North and South was given attention by the committee's executive board.

Dr. John Slawson, executive vice president of the agency, called for a nationwide training program to cope with the "acute shortage" of human relations personnel.

He said that just as the labor mediator or the need for skill in resolving the "power struggle" between labor and management in the 1930's, "so the expert in intergroup relations must now be equipped with special background and ability" to help reduce community and group tensions.

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ability" to help reduce  
community and group tensions.

## BARNARD TO HONOR QUEEN OF GREECE

Barnard College's first honorary degree will be awarded to Queen Frederica of Greece.

She will come to New York in January to receive the degree of Doctor of Laws at a commemoration of the 50th anniversary of Barnard College.

Although Columbia has granted the Bachelor of Arts degree to more than 13,000 Barnard graduates, the university has never before awarded an honorary degree in the name of a woman.

The Greek Embassy received yesterday a confirmed report that the queen would visit. She had been invited by the presidents of Barnard College and the University of the South.

The decision to invite the queen was made by Barnard's Advisory Committee, which includes members of the Barnard board of trustees, faculty, administration, alumnae and a student representative.

Mrs. Mark Van Doren, chairman of the committee since its inception in 1960, said that "Barnard's long association with the classical tradition and the college's ties with Greece through 61 years of Greek Games (on the campus) prompted the invitation to the Queen."

Two Yugoslavs Who Tried To Visit Tito Are Acquainted

The two Yugoslav emigrants who set off a high-level uproar last week by making their way almost to the door of President Tito's suite were acquitted yesterday of charges of disorderly conduct.

The two men, Alexander Karlovic, 32 years old, and Dragutin Munder, 22, were arrested on the 35th floor of the Waldorf Towers. They were unarmed, and said they had merely planned to protest to Marshal Tito against the treatment of friends and relatives in Yugoslavia.

Judge Neal P. Bottiglieri in Criminal Court ruled there was no evidence of disorderly conduct.

He found three other Yugoslavs guilty of disorderly conduct, but suspended sentence. While Waldorf employees were taking down the red-starred Yugoslav flag last Tuesday night, the three men rushed up and tried to put it on.

